

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CASE NO. 1:23-CV-270**

**MACKENZIE ELAINE BROWN**

**Plaintiff**

**v.**

**EXHIBIT 4**

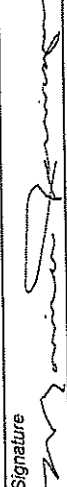
**HENDERSON COUNTY SHERIFF'S**

**OFFICE, et. al**

**Defendants**

**EXHIBIT 4: BRANCH'S CRIMINAL  
SUMMONS FOR ASSAULT ON A FEMALE  
CASE**

10-26

File No. 22CR286228-440		Law Enforcement Case No. HENDERSON COUNTY MAGISTRATE		LID No.	SID No.	FBI No.
<b>CRIMINAL SUMMONS</b> <b>THE STATE OF NORTH CAROLINA VS.</b> Name And Address Of Defendant <b>ROBERT DILLION BURGESS-BRANCH</b> <b>7 BURGESS-BRANCH RD</b>  <b>BLACK MOUNTAIN NC 28711</b> <b>828-215-5929</b>						
Race W	Sex M	Date Of Birth 8/22/1993	Age 29	OFFENSE(S) (see AOC-CR-113 Continuation(s) for charging text) <b>ASSAULT ON A FEMALE</b>		
Social Security No.		Drivers License No. & State		Count No.	Offense	Offense In Violation Of G.S.
Name Of Defendant's Employer				1		14-33(C)(2)
Date Of Offense 9/26/2021		<input type="checkbox"/> Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan Complainant (name, address or department) <b>MACKENZIE ELAINE BROWN</b> <b>158 HAVEN ROAD</b>  <b>EAST FLAT ROCK NC 28726</b> <b>Henderson County (828) 489-7361</b>				1389
Names & Addresses Of Witnesses (including counties & telephone nos.)						
TO THE DEFENDANT: I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above you unlawfully, wilfully, and feloniously did commit the offense(s) set forth above and on the attached AOC-CR-113 Continuation(s), which is (are) incorporated by reference. This act(s) was in violation of the law referred to in this Criminal Summons. This Criminal Summons is issued upon information furnished under oath by the complainant listed. You are ORDERED to appear before the Court at the location, date and time indicated below to answer to the charge(s). If you fail to appear, an order for your arrest may be issued and/or you may be held in CONTEMPT OF COURT. Arrest and/or contempt for failure to appear is in addition to any sentence or penalty which may be imposed for the offense(s) charged. <input checked="" type="checkbox"/> The undersigned finds the following cause to set a court date more than one month from the issue of this summons: <b>TO BE SERVED</b>						
Date Issued 9/3/2022	Name Of Issuing Official Monica Jernigan	Signature 		<input type="checkbox"/> Magistrate <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court	<input type="checkbox"/> District Court Judge <input type="checkbox"/> Superior Court Judge	
Location Of Court 0001-Henderson County Courthouse	Court Date 10/26/2022		Court Time 09:00			
<b>WAIVER OF PROBABLE CAUSE HEARING</b>						
The undersigned defendant, with the consent of his/her attorney, waives the right to a probable cause hearing.						
Date Waived	Signature Of Defendant	Name Of Attorney		Signature Of Attorney		

**NOTE:** Use this page to set forth the charging text for each offense listed on the AOC-CR-113. G.S. 15A-924(a)(5).

## OFFENSES (continued)

Count 1. Offense: ASSAULT ON A FEMALE

Charging Text For This Count

On or about the date of offense shown and in the county named above the defendant unlawfully and willfully did assault and strike MACKENZIE BROWN, a female person, by PICKING HER UP BY THE THROAT, PUSHING HER UP AGAINST THE FLOOR, PLACING HIS HANDS AROUND HER NECK AND SQUEEZED. The defendant is a male person and was at least 18 years of age when the assault and striking occurred.

**Count 2. Offense:**

**Charging Text For This Count**